

California Environmental Protection Agency
Office of Environmental Health Hazard Assessment

NOTICE TO INTERESTED PARTIES

March 28, 2008

TITLE 22 CCR § 12000-14000
PROPOSITION 65 – CHANGES WITHOUT REGULATORY EFFECT – TITLE 22
REGULATORY UPDATE PROJECT

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5, et. seq., hereafter referred to as Proposition 65 or the Act). As part of its responsibilities related to Proposition 65, OEHHA maintains the regulations implementing the Act. These regulations can be found in Title 22 of the California Code of Regulations, sections 12000-14000 inclusive.

OEHHA is proposing to move the Proposition 65 regulations from Title 22 to Title 27 of the California Code of Regulations (CCR). In 1987 the original lead agency for implementation of Proposition 65 regulations was the Health and Welfare Agency. For this reason, the Proposition 65 regulations were placed in Title 22, together with other Health and Welfare regulations. In 1991, Governor Wilson designated OEHHA as the lead agency for Proposition 65 implementation when OEHHA and its parent entity, the California Environmental Protection Agency, were established. The regulations have remained in Title 22. Placing Proposition 65 regulations in Title 27, together with other environmental regulations, would facilitate future searches by stakeholders. This is a non-substantive renumbering process; no material changes will be made to the regulation as part of this action.

OEHHA is offering an opportunity for the public to comment on this proposed non-substantive change. Attached is a table that reflects the changes that are proposed.

Interested parties may submit their comments or suggestions concerning the renumbering of the Proposition 65 regulations by 5:00 p.m. on April 28, 2008. All submissions should be directed to:

Fran Kammerer
Staff Counsel
Office of Environmental Health Hazard Assessment
1001 I Street, MS# 25B
Sacramento, CA 95816
Or via e-mail to fkammerer@oehha.ca.gov

**Office of Environmental Health Hazard Assessment
Safe Drinking Water and Toxicity Enforcement Act of 1986
Renumbered Regulations**

OLD Title 22	Name	NEW Title 27
Chapter 3	Safe Drinking Water and Toxicity Enforcement Act of 1986	Chapter 3
12000	Chemical List	25000
Article 1	Preamble and Definitions	Article 1
	Preamble	
12102	Definitions	25102
12103	Interpretive Guideline Request	25103
12104	Safe Use Determinations	25104
Article 2	Guidelines and Safe Use Determination Procedures	Article 2
12201	Definitions	25201
12203	Interpretive Guideline Request	25203
12204	Safe Use Determination	25204
Article 3	Science Advisory Board: Carcinogen Identification Committee and Developmental Reproductive Toxicant (DART) Identification Committee	Article 3
12301	Definitions	25301
12302	Science Advisory Board	25302
12303	Compensation	25303
12304	Financial Disclosure	25304
12305	Power and Duties	25305
12306	Chemicals Formally Identified by Authoritative Bodies	25306
Article 4	Discharge	Article 4
12401	Discharge of Water Containing a Listed Chemical at Time of Receipt	25401
12403	Discharges from Hazardous Waste Facilities	25403
12405	Discharge of a Pesticide	25405
Article 5	Extent of Exposure	Article 5
12501	Exposure to a Naturally Occurring Chemical in a Food	25501
12502	Exposure to a Listed Chemical in Drinking Water	25502
12503	Exposure to Water	25503
12504	Exposure to Air	25504
12505	Miscellaneous	25505
Article 6	Clear and Reasonable Warnings	Article 6
12601	Clear and Reasonable Warnings	25601
Article 7	No Significant Risk Levels	Article 7
12701	General	25701
12703	Quantitative Risk Assessment	25703
12705	Specific Regulatory Levels Posing No Significant Risk	25704

12707	Routes of Exposure	25707
12709	Exposure to Trace Elements	25709
12711	Levels Based on State or Federal Standards	25711
12713	Exposure to Food, Drugs, Cosmetics and Medical Devices	25713
12721	Level of Exposure to Chemicals Causing Cancer	25721
Article 8	No Observable Effect Levels	Article 8
12801	General	25801
12803	Assessment	25803
12805	Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity	25805
12821	Level of Exposure to Chemicals Causing Reproductive Toxicity	25821
Article 9	Miscellaneous	Article 9
12900	Use of Specified Methods of Detection and Analysis as a Defense to an Enforcement Action	25900
12901	Methods of Detection	25901
12902	Formally Required to Be Labeled or Identified As Causing Cancer or Reproductive Toxicity	25902
12903	Notices of Violation	25903
Appendix A	A Summary of Proposition 65	Appendix A
14000	Chemicals Required by State or Federal Law to Have Been Tested for Potential to Cause Cancer or Reproductive Toxicity, but Which Have Not Been Adequately Tested As Required	27000